

ORIGINAL

LEONARDO M. RAPADAS
United States Attorney
MARIVIC P. DAVID
Assistant U.S. Attorney
Sirena Plaza Suite 500
108 Hernan Cortez Avenue
Hagatna, Guam 96910
Telephone: (671) 472-7332
Telecopier: (671) 472-7334
Attorneys for United States of America

FILED
DISTRICT COURT OF GUAM

JUN - 1 2007

MARY L.M. MORAN
CLERK OF COURT

**IN THE UNITED STATES DISTRICT COURT
FOR THE TERRITORY OF GUAM**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

REX GARRIDO,

Defendant.

CRIMINAL CASE NO. 06-00009

**GOVERNMENT'S RESPONSE TO
PRESENTENCE INVESTIGATION
REPORT; AND MOTION FOR
ADDITIONAL ONE-LEVEL
DEPARTURE FOR
ACCEPTANCE OF RESPONSIBILITY**

Comes now the United States and adopts the findings of the Presentence Investigation Report with the following notation:

The defendant has assisted authorities in the investigation and prosecution of his own misconduct by notifying authorities of his intention to enter a plea of guilty, thereby permitting the government to avoid preparing for trial and permitting the government and the court to allocate their resources efficiently. Thus, paragraph 50 should reflect that an additional one-level decrease for acceptance of responsibility under USSG § 3E1.1(b) is warranted, for a total of a three-level decrease for acceptance of responsibility.

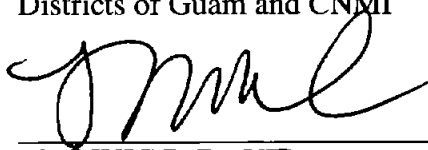
The Total Offense Level for paragraph 51 should be 29 and with Criminal History Category of I, the applicable Guideline range is 87 to 108 months.

1
2 Also, prior to the sentencing hearing, the government intends to file a downward departure
3 motion pursuant to USSG §5K1.1 and 18 U.S.C. § 3553(e).
4

5 Dated this 1st day of June 2007.

6 LEONARDO M. RAPADAS
7 United States Attorney
8 Districts of Guam and CNMI

9 By:



10 MARIVIC P. DAVID
11 Assistant U.S. Attorney
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28